

Civil Action No 19-11968-PBS-MBB

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

Friedrich Lu, Plaintiff

v

Kevin Davis, Tyler Ostholthoff, Gregg Taylor, ABM Janitorial Services Northeast, Inc, Irwin Driggs, Sarah St Pierre, Massachusetts Bay Transportation Authority, Sonia L Skinner, Frank DePaola, Luis Manuel Ramirez, Steve Poftak, Massachusetts Bay Transportation Authority, David S Mackey, Christina Marshall, Nina Pickering-Cook, Anderson & Kreiger LLP, Stephanie Pollack, Dominic Blue, Ruth Bonsignore, Brian Lang, Dean Mazzarella, Steve Poftak, Joseph Sullivan, Betsy Taylor, Representatives at CharlieCard Support Services, Ralph D Gants, Mark V Green, and Paula M Carey, defendants

PLAINTIFF'S SECOND NOTICE OF APPEAL.

(1) Under protest, plaintiff Friedrich Lu appeals, to United States Court of Appeals for the First Circuit, from the ludicrous *Order of Dismissal* (of what: case (also known as action)? complaint?) entered on June 30, 2022 by Patti B Saris, DJ, that allegedly disposed of certain but in fact left out other defendants.

(2)

(a) *Per se*, said *Order* validates his protestations to First Circuit that his trip there was neither dilatory nor "premature" -- First Circuit adopted both postures in that trip, the latter (posture) without explanation.

(b) Standing alone, the *Order* (by Saris, DJ, straight) testifies to the mutual agreement between Saris, DJ, and Marianne B Bowler, MJ (to the latter the former had referred the

"case" for "full pretrial" in a Nov 15, 2019 order (Docket # 14), that rulings of Bowler, MJ, which Saris, DJ, either adopted or did not disturb, had conclusively ended the case.


"The Court has defined a final decision as one that ends the litigation on the merits and leaves nothing for the court to do but execute the judgment. *Firestone Tire & Rubber Co v Risjord* (1981) 449 US 368, 373-74 (quoting *Catlin v United States* (1945) 324 US 229, 233." *Acevedo-Villalobos v Hernandez* (CA1 1994) 22 F.3d 384, 388 (internal quotation marks omitted).

(c) It goes without saying that Lu is bitter toward First Circuit.

(3)

(a) Following the time-honored tradition of presidential signing statements (whose legality is questionable), Lu pens Exhibit A.

(b) Exhibit B is Lu's complaint to Judicial Council of the First Circuit, over suspected mental disability of Saris, DJ.

Plaintiff: Friedrich Lu, pro se   
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